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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,219	01/02/2004	Douglas B. Hill	204694.00115	6659
27160 7590 01/22/2008 PATENT ADMINISTRATOR KATTEN MUCHIN ROSENMAN LLP 1025 THOMAS JEFFERSON STREET, N.W. EAST LOBBY: SUITE 700 WASHINGTON, DC 20007-5201			EXAMINER DHARIA, PRABODH M	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 01/22/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplement Allowance  
Notice of Allowability**

Application No.

10/750,219

Examiner

Prabodh M. Dharia

Applicant(s)

HILL ET AL.

Art Unit

2629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10-15-2007 and 01-02-2008.
2. ☒ The allowed claim(s) is/are 1-57.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                                 |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.  |

### **Supplemental Allowance**

1. **Status:** Please all the replies and correspondence should be addressed to Examiner's new art unit 2629. **The supplemental allowance is necessary to correct to change the dependencies of claim 33 and correct duplication of numbering of claim 48 (underlined bold below); as from claim 33 to claim 30; and claims 48-56 are renumbered from claims 49-57. The examiner amendments carried out per authorization of applicant's representative Richard P. Bauer in a telephone interview on 01-02-2008 and received E-mail of the amendments to the claims 33 and 48-56.** Receipt is acknowledged of Emailed papers submitted on 01-03-2008 under amendments, which have been placed of record in the file. Receipt is acknowledged of papers submitted on 10-15-2007 under amendments, new claims and request for reconsideration, which have been placed of record in the file. Claims 1-57 are pending in this action.

### ***Response to Amendment***

2. The amendment E-mailed for examiner amendments on 01-02-2008 does not introduce new matter into the disclosure. The added material, is supported by the original disclosure. The amendment filed 10-15-2007 does not introduce any new matter into the disclosure. The added material is supported by the original disclosure. Applicant has amended independent claims 1, 17, 30 and 38, adding allowable limitations and added new independent claim 44 with allowable limitations to expedite allowability of the instant application.

3. Applicant has amended independent claims 1, 17, 30 and 38, adding allowable limitations and added new independent claim 44 with allowable limitations to expedite allowability of the instant application. Applicant arguments filed on 10-15-2007, under remark regarding allowable limitations “overlapping coordinate input sub-regions defining a generally contiguous input region with each coordinate input sub-region separately tracking pointer movement therein by capturing images using a set of associated cameras having overlapping fields of view and in response generating pointer coordinate data wherein the pointer coordinate data generated by each of the coordinate input sub- regions as a result of pointer movement within the overlapping portions is processed in accordance with defined logic to yield a single set of pointer coordinate data representing the pointer movement within the overlapping portions. The pointer coordinate data generated by each of the coordinate input sub-regions as a result of pointer movement within the overlapping portions is processed in accordance with defined logic or calculate the position of the pointer contact using triangulation; to yield a single set of pointer coordinate data representing the pointer movement within the overlapping portions” are persuasive; as after further extensive search and consideration, the amended independent claims 1,17,30,38 and new independent claim 44, do overcome the prior art rejection mailed on 06-13-2007, which puts application number 10750219 in condition for allowance.

#### **EXAMINER’S AMENDMENT**

4. An examiner’s amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Applicant's representative **Richard P. Bauer** gave authorization for this examiner's amendment in a telephone interview on January 02, 2008 for claims 33 and 48-56 (underlined bold below) to change the dependencies of claims 33 and renumbered 48-56 to 49-57.

**In the Claims**

On page 10,

Claim 33 is amended as following:

33. **(Amended)** A touch system according to claim **30 33** wherein an image segment is presented on each coordinate input sub-region, said image segments being joined to create a continuous image on said input surface.

On page 13

Claims 48-51 are amended as following:

**49. 48. (Amended)** The method of claim 47 wherein said image segments are operating system desktop sections.

**50. 49. (Amended)** The method of claim 48 further comprising updating the image data in accordance with the determined position of the pointer contact relative to the touch surface.

**51. ~~50.~~ (Amended)** The method of claim 44 further comprising maintaining attributes assigned to a pointer by one coordinate input sub-region after said pointer moves across an overlapping portion into an adjacent coordinate input sub-region.

**52. ~~51.~~ (Amended)** The method of claim **51 ~~50~~** wherein said attributes are maintained until a pre-defined event occurs.

On page 14

Claims 52-56 are amended as following:

**53. ~~52.~~ (Amended)** The method of claim **51 ~~50~~** further comprising displaying an image generally spanning said contiguous input region, said image being updated to reflect pointer activity.

**54. ~~53.~~ (Amended)** The method of claim **53 ~~52~~** wherein said image includes image segments, each segment being associated with a respective coordinate input sub-region.

**55. ~~54.~~ (Amended)** The method of claim **54 ~~53~~** wherein image segments associated with adjacent coordinate input sub-regions are joined substantially seamlessly within said overlapping portions of said coordinate input sub-regions.

**56. ~~55.~~ (Amended)** The method of claim **54 ~~53~~** wherein said image segments are operating system desktop sections.

**57. ~~56.~~ (Amended)** The method of claim **56 ~~55~~** further comprising updating the image data in accordance with the determined position of the pointer contact relative to the touch surface.

5. The closest prior art recited on 892's to applicant's teaching; Morrison, Gerald et al. (US 2003/0043116 A1) and Morrison, Gerald D et al. (US 20040178993 A1) are 102(e) prior arts. The assignee of the instant application and prior arts are listed above is SMART TECHNOLOGIES, INC. The other inventors of the prior art of Morrison, Gerald et al. (US 2003/0043116 A1) is Tseng Su, Scott Yu and Morrison, Gerald D et al. (US 20040178993 A1) is Holmgren, David. Inventors Holmgren, David and Tseng Su, Scott Yu are both co-inventors of the instant application. Therefore the Morrison, Gerald et al. (US 2003/0043116 A1) and Morrison, Gerald D et al. (US 20040178993 A1) are not good and valid 102(e) prior arts.

However, the prior arts of Morrison, Gerald et al. (US 2003/0043116 A1) and Morrison, Gerald D et al. (US 20040178993 A1) are to be considered as prior arts; they do fail to recite or disclose the uniquely distinct features of the independent claims limitations below in combination with all the other limitations of independent claims recited:

“ pointer tracking system including at least two overlapping coordinate input sub-regions defining a generally contiguous input region, each coordinate input sub-region separately tracking pointer movement therein by capturing images using a set of associated cameras having overlapping fields of view and in response generating pointer coordinate data, a method for tracking a pointer across overlapping portions of said coordinate input sub-regions. The method comprises detecting by each coordinate input sub-region pointer movements within overlapping

portions of the coordinate input sub-regions and generating by each coordinate sub-region pointer coordinate data. The pointer coordinate data generated by each of the coordinate input sub-regions as a result of pointer movement within the overlapping portions is processed in accordance with defined logic or calculate the position of the pointer contact using triangulation; to yield a single set of pointer coordinate data representing the pointer movement within the overlapping portions.”

***Allowable Subject Matter***

6. Claims 1-57 are allowed.

7. The following is an examiner’s statement of reasons for allowance:

Applicant has amended independent claims 1, 17, 30 and 38 adding allowable limitations to expedite allowability of the instant application and overcome prior art rejection. Applicant has added new claims 44-56; with independent claim 44 reciting allowable limitations.

Applicant’s arguments filed on 10-15-2007 are convincing. As argued by applicant in remarks under claim rejection page 16, paragraphs 2,3, page 17, paragraphs 1-3, and page 18, paragraphs 2,3; prior art of Hidai; Hideo (US 2006/0274067 A1); Kulas, Charles J. (US 2003/0151562 A1); Ditzik; Richard J. (US 5,771,039 A) and Pryor; Timothy R et al. (US 2006/0202953 A1); with all of the other prior art cited on 892’s 1449’s, searched in NPL and searched in PGPUB, fails to recite or disclose all the other limitations of independent claims in combination with uniquely distinct features represented by underlined bold claim limitations recited below;



a pointer tracking system including at least two overlapping coordinate input sub-regions defining a generally contiguous input region, each coordinate input sub-region separately tracking pointer movement therein by capturing images using a set of associated cameras having overlapping fields of view and in response generating pointer coordinate data, a method for tracking a pointer across overlapping portions of said coordinate input sub-regions. The method comprises detecting by each coordinate input sub-region pointer movements within overlapping portions of the coordinate input sub-regions and generating by each coordinate sub-region pointer coordinate data. The pointer coordinate data generated by each of the coordinate input sub-regions as a result of pointer movement within the overlapping portions is processed in accordance with defined logic or calculate the position of the pointer contact using triangulation; to yield a single set of pointer coordinate data representing the pointer movement within the overlapping portions.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668. The examiner can normally be reached on M-F 8AM to 5PM.

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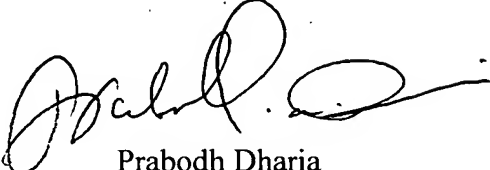
9. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231



Prabodh Dhar

Full Signatory Authority Program

AU2629

01-02-2008